

REMARKS

Claims 1-13 and 24-34 are now pending in the application. Claims 14-23 were previously withdrawn. The Examiner is respectfully requested to reconsider and withdraw the rejection in view of the remarks contained herein.

REJECTION UNDER 35 U.S.C. § 103

Claims 1-13 and 24-34 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Mittal et al. (2003/0154125) in view of Webb et al. (2002/0071076). This rejection is respectfully traversed.

Mittal et al. disclose a promotional scheme for the distribution and redemption of electronic coupons. Some parameters of the coupon (e.g., the discount offered by the coupon) are variable. In this system, the customer receives a coupon, but the customer does not become aware of the parameters of the coupon until the coupon is presented for redemption at the retailer store (see ¶¶ [0072]-[0084]). In another example, the coupon is distributed via e-mail, and once the customer accepts the coupon (e.g., by clicking on the coupon or saving the coupon) the coupon parameters are determined (see ¶ [0113]). The coupon parameters are determined according to data contained in an online site, owned or operated by the manufacturer, manufacturer's distribution partner or their agent (¶¶ [0066]-[0067]).

Webb et al. disclose a system in which a handheld device (e.g., a cell phone) can receive a barcode, which can be associated with a price of a product. The price of the product can vary. The customer becomes aware of the price associated with the

barcode by accessing “store infrastructure” or a “data center” that is separate from the handheld device (see ¶¶ [0112], [0114]).

In contrast to Mittal et al. and Webb et al., the present application teaches an electronic coupon system including a handheld device that receives and stores an electronic coupon and metadata that automatically changes redemption characteristics of the coupon post distribution. Because the handheld device receives and stores the coupon as well as the metadata, the variable redemption characteristics can automatically change the coupon independently on the handheld device. Thus, for example, the handheld device can independently and automatically adjust the coupon (see, e.g., ¶¶ [0065], [0069]). In embodiments discussed in the application, a remote control 12 changes redemption characteristics of the coupon using data contained in the remote control (¶ [0072]). As such, the customer can become aware of the coupon’s redemption characteristics simply by consulting the handheld device. In other words, the customer can understand the coupon’s characteristics without having to go to the retailer (e.g., Mittal et al.) or access a database separate from the handheld device (e.g., Webb et al.). Accordingly, the system of the present application is more convenient than those disclosed by Mittal et al. and Webb et al.

Thus, in contrast to claim 1 of the present application, it is respectfully submitted that Mittal et al. and Webb et al., either standing alone or in combination, fail to disclose or suggest an electronic coupon system including a handheld device that receives and stores an electronic coupon and metadata that automatically changes redemption characteristics of the coupon post distribution. Likewise, in contrast to claim 7 of the present application, it is respectfully submitted that Mittal et al. and Webb et al., either

standing alone or in combination, fail to disclose or suggest a method of conditionally redeeming an adaptive electronic coupon including employing a handheld device to receive and store an electronic coupon and metadata that automatically changes redemption characteristics of the coupon post distribution. Moreover, unlike claim 24 of the present application, it is respectfully submitted that Mittal et al. and Webb et al., either standing alone or in combination, fail to disclose or suggest an electronic coupon system including a handheld device having electronic memory that stores electronic coupon data including coupon metadata that automatically changes redemption characteristics of the coupon post distribution. Additionally, unlike claim 27 of the present application, it is respectfully submitted that Mittal et al. and Webb et al., either standing alone or in combination, fail to disclose or suggest computer memory residing in a handheld device that is adapted to receive and store an electronic coupon and metadata that automatically changes redemption characteristics of the coupon post distribution.

Thus, it is respectfully submitted that claims 1, 7, 24, and 27 are allowable over Mittal et al. and Webb et al. Moreover, because claims 2-6 and 31-34 are each ultimately dependent on claim 1, it is respectfully submitted that claims 2-6 and 31-34 are allowable over Mittal et al. and Webb et al. Furthermore, because claims 8-13 are each ultimately dependent on claim 7, it is respectfully submitted that claims 8-13 are allowable over Mittal et al. and Webb et al. In addition, because claims 25 and 26 are each ultimately dependent on claim 24, it is respectfully submitted that claims 25 and 26 are allowable over Mittal et al. and Webb et al. Still further, because claims 28 and 29

are each ultimately dependent on claim 27, it is respectfully submitted that claims 28 and 29 are allowable over Mittal et al. and Webb et al.

CONCLUSION

It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office Action and the present application is in condition for allowance. Thus, prompt and favorable consideration of this amendment is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (248) 641-1600.

Respectfully submitted,

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By: Thomas E. Vesbit
Thomas E. Vesbit, Reg. No. 50,562

HARNESS, DICKEY & PIERCE, P.L.C.
P.O. Box 828
Bloomfield Hills, Michigan 48303
(248) 641-1600

TEV:mhe